

ASSEMBLY BILL

No. 1085

**Introduced by Committee on Agriculture (Matthews (Chair),
Maldonado (Vice Chair), Berg, Cogdill, Maddox, Maze,
Oropeza, Parra, Reyes, Salinas, Vargas, and Wiggins)**

February 20, 2003

An act to amend Section 6032 of the Food and Agricultural Code,
relating to pests.

LEGISLATIVE COUNSEL'S DIGEST

AB 1085, as introduced, Committee on Agriculture. Agriculture:
pest control: curly top virus.

Existing law provides for a beet leaf hopper control program
administered by the Secretary of Food and Agriculture. Existing law
requires every producer or producer-handler of certain agricultural
crops susceptible to curly top virus to pay to the secretary an assessment
on all those crops sold or delivered to a handler, or in the case of a
producer-handler, on those crops marketed by the producer-handler.

This bill would require that the secretary determine those crops
susceptible to curly top virus for the purposes of this assessment.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 6032 of the Food and Agricultural Code
- 2 is amended to read:
- 3 6032. As used in this article “handler” means any person that
- 4 engages in the operation of selling, marketing, or processing any

1 of the crops vulnerable to damage from curly top virus, as covered
2 by this chapter, which he or she has purchased, or acquired from
3 a producer or which he or she is marketing, selling or processing
4 on behalf of a producer, whether as owner, agent, employee,
5 broker, or otherwise. A producer-handler is a producer who
6 operates as a handler as to any such crop produced by him or her.
7 Every producer or producer-handler of *agricultural crops*
8 *susceptible to curly top virus as determined by the secretary,*
9 *including, but not limited to, tomatoes, sugar beets, melons, beans,*
10 *cucumbers, spinach, and peppers, and other agricultural crops*
11 ~~susceptible to curly top virus as determined by the secretary,~~ shall
12 pay to the ~~secretary~~ *department* an assessment on all those crops
13 sold or delivered by him or her to a handler or, in the case of a
14 producer-handler, on those crops marketed by the
15 producer-handler. The full amount of the assessment shall be
16 collected from the producer by the handler at the point and time
17 that the crop is purchased or received by the handler as provided
18 by regulations of the secretary.

